

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director
(954) 797-1101

PREPARED BY: Mark A. Kutney, AICP, Development Services Director

SUBJECT: Revised Code Enforcement Mitigation Guidelines

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING REVISED CODE ENFORCEMENT MITIGATION GUIDELINES RELATIVE TO CODE ENFORCEMENT FINES OR LIENS.

REPORT IN BRIEF: The Town Council had requested Development Services Staff to review the existing Code Enforcement Mitigation Guidelines and propose recommended amendments. Staff proposed several adjustments to the guidelines that Town Council accepted and directed staff to incorporate into a resolution for Town Council adoption. (September 7, 2005)

FISCAL IMPACT: N/A – Please note that this resolution should increase the amount of revenue collected from fines and liens.

Has request been budgeted?
If yes, expected cost:
Account Name:

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): Copy of Mitigation Guidelines, Exhibit “A”

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ADOPTING REVISED CODE ENFORCEMENT MITIGATION GUIDELINES RELATIVE TO CODE ENFORCEMENT FINES OR LIENS.

WHEREAS, The Town Council approved Code Enforcement Mitigation Guidelines in July, 1999; and

WHEREAS, The Town Council directed staff to review the aforementioned guidelines for the purpose of ensuring fairness, cost recovery and greater latitude related to the mitigation of Code Enforcement fines or liens; and

WHEREAS, Staff has completed review of the existing guidelines and proposed a number of revisions to the existing guidelines; and

WHEREAS, The Town Council reviewed the revised Code Enforcement Mitigation Guidelines and directed Staff to proceed with their eventual adoption; and

WHEREAS, it is in the best interest of the Town of Davie to adopt the revised Code Enforcement Mitigation Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

Section 1. The Town Council of the Town of Davie does hereby adopt the revised Code Enforcement Mitigation Guidelines attached hereto and identified as attachment "A."

Section 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

EXHIBIT “A”

PROPOSED MITIGATION GUIDELINES

| <u>FINE AMOUNT</u> | <u>RECOMMENDATION</u> |
|----------------------|---|
| Fine to \$10,000 | 7.5% of the amount plus an additional 5% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$10,000 - \$20,000 | 10.0% of the amount plus an additional 6% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$20,001 - \$30,000 | 12.5% of the amount plus an additional 7% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$30,001 - \$40,000 | 15.0% of the amount plus an additional 8% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$40,001 - \$50,000 | 17.5% of the amount plus an additional 9% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$50,001 - \$60,000 | 20.0% of the amount plus an additional 10% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$60,001 - \$70,000 | 22.5% of the amount plus an additional 11% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$70,001 - \$80,000 | 25.0% of the amount plus an additional 12% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$80,001 - \$90,000 | 27.5% of the amount plus an additional 13% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| \$90,001 - \$100,000 | 30.0% of the amount plus an additional 14% For each sixty (60) days of violation plus actual costs incurred by the Town. |
| Over \$100,000 | 35.0% of the amount plus an additional 15% For each sixty (60) days of violation plus actual costs incurred by the Town. |

This schedule would be utilized for first time violators and repeat violators.

MITIGATION BASE FEE (COST OF CASE ADMINISTRATION AND DEVELOPMENT) SHALL BE ADDED TO THE TOTAL DERIVED FROM APPLICATION OF ABOVE GUIDELINES. THE MITIGATION BASE FEE IS BASED UPON THE EXPENSES INCURRED BY TOWN EMPLOYEES AND ALL ACCOMPANYING COSTS.

MITIGATION BASE FEE* \$ 1010.98

*Subject to revision as per current staff salaries.

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